

STATE OF SOUTH CAROLINA

**Petition of South Carolina Electric & Gas Company for
Updates and Revisions to Schedules Related to the
Construction of a Nuclear Base Load Generation Facility
at Jenkinsville, South Carolina**

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

COVER SHEET

DOCKET

NUMBER: 2010 - 376 - E

(Please type or print)

Submitted by: K. Chad Burgess

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ **Emergency Relief demanded in petition** ☐ **Request for item to be placed on Commission's Agenda expeditiously**

☐ **Other:** _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input checked="" type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		



K. Chad Burgess
Associate General Counsel

chad.burgess@scana.com

January 26, 2011

VIA ELECTRONIC FILING AND HAND DELIVERY

The Honorable Jocelyn G. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive (29210)
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: Petition of South Carolina Electric & Gas Company for Updates and Revisions to
Schedules Related to the Construction of a Nuclear Base Load Generation Facility
at Jenkinsville, South Carolina
Docket No. 2010-376-E

Dear Ms. Boyd:

Please find enclosed the Direct Testimony of Kevin B. Marsh, Stephen A. Byrne, and Carlette L. Walker for filing on behalf of South Carolina Electric & Gas Company ("SCE&G") in the above-captioned matter.

As part of the enclosed testimony, SCE&G is filing both confidential and public versions of certain exhibits. The confidential version of these exhibits contains confidential information related to the pricing and pricing terms of the Engineering, Procurement and Construction Agreement ("EPC Contract") between SCE&G and a consortium consisting of Westinghouse Electric Company, LLC and The Shaw Group, Inc. (collectively, "Contractor"). The EPC Contract contains confidentiality provisions that require SCE&G to protect proprietary information that the Contractor believes constitutes trade secrets and to be commercially sensitive. The exhibits containing this confidential information are: Exhibit No. __ (SAB-2-C), Exhibit No. __ (SAB-3-C), Exhibit No. __ (CLW-1-C) and Exhibit No. __ (CLW-3-C). The Contractor has requested that SCE&G maintain the confidentiality of certain information contained in these exhibits. In each case, the confidential information has been redacted from the public version of the exhibits and the exhibits containing the confidential information have been marked as the "Confidential Version."

Along with the initial filing in this matter (the "Petition"), SCE&G requested that the Public Service Commission of South Carolina (the "Commission") find that the Confidential Version of the Petition contained protected confidential information and that the Commission issue a protective order barring the disclosure of the confidential information under the Freedom

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The Honorable Jocelyn G. Boyd

January 26, 2011

Page 2

of Information Act, S.C. Code Ann. §§ 30-4-10 *et seq.*, S.C. Code Ann. Regs. 103-804(S)(1), or any other provision of law, except in its public form. On December 1, 2010, the Commission issued Order No. 2010-795 granting that request. SCE&G would respectfully request that the Confidential Versions of the enclosed testimony be made subject to the terms of Order No. 2010-795.

To this end, and in accordance with Commission Order No. 2005-226, dated May 6, 2005, in Docket No. 2005-83-A, enclosed with this letter and attached to the direct testimony of Mr. Byrne as hearing exhibits are as follows:

1. Redacted Public Version of Change Order costs (Exhibit No. ____ (SAB-2-P) Public Version);
2. Unredacted Confidential Version of Change Order costs (Exhibit No. ____ (SAB-2-C) Confidential Version);
3. Redacted Public Version of costs for scope of work shifts (Exhibit No. ____ (SAB-3-P) Public Version); and
4. Unredacted Confidential Version of costs for scope of work shifts (Exhibit No. ____ (SAB-3-C) Confidential Version);

Moreover, enclosed with this letter and attached to the direct testimony of Ms. Walker as hearing exhibits are as follows:

1. Redacted Public Version of Exhibit 1 (Exhibit No. ____ (CLW-1-P) Public Version);
2. Unredacted Confidential Version of Exhibit 1 (Exhibit No. ____ (CLW-1-C) Confidential Version);
3. Redacted Public Version of Reclassified Capital Costs (Exhibit No. ____ (CLW-3-P) Public Version); and
4. Unredacted Confidential Version of Reclassified Capital Costs (Exhibit No. ____ (CLW-3-C) Confidential Version).

SCE&G respectfully requests, in the event that anyone should seek disclosure of the unredacted Confidential Version of the above-referenced exhibits, that the Commission notify SCE&G of such request and provide it and the Contractor with an opportunity to obtain an order from this Commission or a court of competent jurisdiction protecting the Confidential Version of these documents from disclosure.

(Continued . . .)

The Honorable Jocelyn G. Boyd

January 26, 2011

Page 3

In relation to this request for confidential treatment of the Confidential Versions of Exhibit No. ____ (SAB-2-C), Exhibit No. ____ (SAB-3-C), Exhibit No. ____ (CLW-1-C), and Exhibit No. ____ (CLW-3-C), SCE&G is enclosing the following:

- (1) A true and correct copy of the Confidential Version of Exhibit No. ____ (SAB-2-C) and the Confidential Version of Exhibit No. ____ (SAB-3-C), in a sealed envelope marked "CONFIDENTIAL."
- (2) A copy of the redacted Public Version of Exhibit No. ____ (SAB-2-P) and the redacted Public Version of Exhibit No. ____ (SAB-3-P) for filing and public disclosure.
- (3) A true and correct copy of the Confidential Version of Exhibit No. ____ (CLW-1-C) and the Confidential Version of Exhibit No. ____ (CLW-3-C), in a sealed envelope marked "CONFIDENTIAL."
- (4) A copy of the redacted Public Version of Exhibit No. ____ (CLW-1-P) and the redacted Public Version of Exhibit No. ____ (CLW-3-P) for filing and public disclosure.

By copy of this letter, we are also serving the other parties of record with a copy of the enclosed testimony and attach a certificate of service to that effect.

If you have any questions regarding these matters, please do not hesitate to contact me.

Very truly yours,



K. Chad Burgess

KCB/kms
Enclosures

cc: John W. Flitter
Nanette S. Edwards, Esquire
Jeffrey M. Nelson, Esquire
Scott Elliott, Esquire
(all via electronic mail and hand delivery)

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2010-376-E

IN RE:

Petition of South Carolina Electric & Gas)	
Company for Updates and Revisions to)	
Schedules Related to the Construction of a)	CERTIFICATE
Nuclear Base Load Generation Facility at)	OF SERVICE
At Jenkinsville, South Carolina)	
_____)	

This is to certify that I have caused to be served this day one (1) copy of South Carolina Electric & Gas Company's **Direct Testimony of Kevin B. Marsh, Stephen A. Byrne, and Carlette L. Walker** via electronic mail and hand delivery to the persons named below at the addresses set forth:

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Karen M. Scruggs

Columbia, South Carolina

This 26th day of January 2011